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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

AT ANCHORAGE

CITY OF SAINT PAUL, a municipal)	
corporation,)	
)	
Plaintiff,)	No. 3:97-cv-0181 HRH
)	
vs.)	
)	
DONALD EVANS, Secretary of the)	UNOPPOSED MOTION BY DEFENDANT
United States Department of)	AND COUNTERCLAIMANT TANADGUSIX
Commerce, and CONRAD C.)	CORPORATION MODIFYING DEADLINES
LAUTENBACHER, JR., Administrator,)	IN SCHEDULING ORDER FOR DAMAGES
National Oceanic and Atmospheric)	AND REMEDIES PHASE OF CASE
Administration, and TANADGUSIX)	
CORPORATION, an Alaska)	
corporation,)	
)	
Defendant.)	
)	
)	
)	
)	

Defendant and counterclaimant Tanadgusix Corporation ("TDX"), by and through its attorneys of record, Turner & Mede, P.C. and Law Office of Douglas F. Strandberg, P.S., hereby moves for the entry of the attached modified scheduling order. Such motion has been discussed with the attorneys for plaintiff and counterdefendant City of Saint Paul ("City") and is unopposed by the City.

The modified scheduling order sought by this unopposed motion changes the deadlines by which (a) expert designations are to be served from May 28, 2007 to November 28, 2007, (b) expert reports are to be served from September 28, 2007 to March 28, 2008, (c) lay witness discovery completion from September 28, 2007 to March 28, 2008, (d) expert witness discovery completion from November 28, 2007 to May 28, 2007, (e) filing of discovery motions from December 28, 2007 to June 29, 2008, and (f) filing of summary judgment motions, *in limine* motions and motions for ruling on the law of the case from November 28, 2007 to May 28, 2008.

The reason for this unopposed motion is that the City and TDX are currently engaged in settlement negotiations. The negotiations involve complex land issues and require considerable coordination among the parties and their consultants. The City and TDX believe such negotiations will be materially aided by such extensions.

The parties have recently made considerable progress in their settlement negotiations. Proceeding on the basis that the

best way to resolve complex upland, tideland, and access issues on Saint Paul Island, especially the Harbor area, is for TDX and the City to agree on a subdivision of land in the Harbor area and to locate all existing utilities, they have exchanged several comprehensive draft settlement proposals which have significantly narrowed their differences.

The City and TDX believe that they will need another six months of such efforts to determine if a settlement can be achieved without further involvement of the Court. So by this unopposed motion by TDX they are seeking a six-month extension of each present pretrial deadline.

This unopposed motion does not affect any rights or obligations of the only other parties in this case, the Federal Defendants. As a result, it should be granted by the Court forthwith.

RESPECTFULLY SUBMITTED at Anchorage, Alaska, this 24th day of May, 2007.

TURNER & MEDE, P.C.
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Counterclaimant, Tanadgusix Corporation

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Certificate of Service

This is to certify that on this 24th day of
May, 2007, a copy of the foregoing was served
Electronically on:

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